

Application Instructions for a Baseline General Permit to discharge stormwater associated with INDUSTRIAL ACTIVITY

Do I need to apply for coverage under the Industrial Stormwater General Permit?

The industrial stormwater general permit applies to stormwater runoff or discharges to surface waters and/or storm drains from facilities listed in categories 1-9 and 11 below. If all of the stormwater from your facility discharges to the ground and/or to a combined storm/sanitary sewer, you are not required to apply for coverage under the permit. Refer to Federal regulations (40 CFR 122.26(b)(14), or appendix 1 of Ecology's industrial stormwater permit, or call (360) 407-6858 for questions on permit coverage.

Note: Municipalities of less than 100,000 in population are only required to submit a NOI for the discharge of stormwater associated with industrial activity for their **municipally owned or operated airports, powerplants, and uncontrolled sanitary landfills**. Municipalities of more than 100,000 in population are required to obtain permit coverage if they discharge stormwater to surface water or storm drain from any of the activities listed below.

Operators of facilities listed in 1 through 9 below must apply for the permit if they have a discharge of stormwater to a surface water or to a storm drain. Operators of facilities listed in category 11 must apply if they have a discharge of stormwater from industrial areas or activities exposed to rainfall or stormwater runoff.

Note: Category 10 - construction activity disturbing five acres or more land, must apply for coverage under the construction general stormwater permit.

1. Facilities subject to new source performance standards or toxic pollutant effluent standards under 40 CFR subchapter D that are not subject to Effluent Limitation Guidelines or Standards, or New Source Performance Standards for stormwater discharges;
2. Facilities listed under the Standard Industrial Classification (SIC) codes: 24-Lumber and Wood Products (*except 2434-Wood Kitchen Cabinets, see category 11*), 26-Paper and Allied Products (*except 265-Paperboard Containers, and 267-Converted Paper and Paperboard Products, see category 11*), 28-Chemical and Allied Products (*except 283-Drugs, and 285-Paints, Varnishes, Lacquers, Enamels, and Allied Products, see category 11*), 29-Petroleum Products (*except 2951 - Asphalt Concrete Plants, must apply for the sand and gravel general permit*), 311-Leather Tanning and Finishing, 32-Stone, Clay and Glass Products (*except 323-Glass Products made from Purchased Glass, see category 11*) and (*except 3273 - Ready-Mixed Concrete, must apply for the sand and gravel general permit*), 33-Primary Metals Industries, 3441-Fabricated Structural Metal, 373-Ship and Boat Building and Repairing;
3. Mining and Oil and Gas facilities in SIC codes 10 Metal Mining, 12 Coal Mining, 13 Oil and Gas Extraction, and 14 Mining and Quarrying of Nonmetallic Minerals, (*except 1411 - dimension stone; 1422 - Crushed and Broken Limestone; 1423 - Crushed and Broken Granite; 1429 - Crushed and Broken Stone, Not Elsewhere Classified; 1442 - Construction Sand and Gravel; 1446 - Industrial Sand, 1445 - Kaolin and Ball Clay; 1459 - Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified; 1499 - Miscellaneous Nonmetallic Minerals, Except Fuels; must apply for the sand and gravel general permit*), including inactive mining operations (see appendix #1(3) of the industrial general stormwater permit or 40 CFR 122.26(b) (14)(iii) for more details);
4. Hazardous waste treatment, storage or disposal facilities, including those operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA);
5. Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described in these categories, including those subject to regulation under Subtitle D of RCRA);
6. Recycling facilities, facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile recyclers, classified as SIC 5015 and 5093;
7. Steam electric power generating facilities, including coal handling sites;
8. Transportation facilities classified under SICs below, which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations: 40-Railroad Transportation, 41-Local and Interurban Passenger Transportation, 42-Motor Freight Transportation and Warehousing (*except 4221-Farm Product Warehousing and Storage, 4222-Refrigerated Warehousing and Storage, and 4225-General Warehousing and Storage, see category 11*), 44-Water Transportation, 45-Transportation by Air, 5171-Petroleum Bulk Stations and Terminals;

9. Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of 1.0 million gallons per day or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the Clean Water Act;
10. *Construction which will disturb five acres or more land must apply for coverage under the general stormwater permit for construction. Application should be made at least 38 days prior to the start-up of construction. Industrial facilities which are already covered under this Baseline General Permit, and which are planning construction which will disturb five or more acres of total land area, must complete and submit a Notice of Intent for Construction Activity to be covered under the construction general stormwater permit.*
11. Facilities listed under the SIC codes: 20-Food and Kindred Products, 21-Tobacco Products, 22-Textile Mill Products, 23-Apparel and Other Textile Products, 2434-Wood Kitchen Cabinets, 25-Furniture and Fixtures, 265-Paperboard Containers and Boxes, 267-Converted Paper and Paperboard Products, 27-Printing, Publishing and Allied Industries, 283-Drugs, 285-Paints, Varnishes, Lacquers, Enamels, and Allied Products, 30-Rubber and Miscellaneous Plastic Products, 31-Leather and Leather Products (except 311-Leather Tanning and Finishing, see category 2), 323-Glass Products Made of Purchased Glass, 34-Fabricated Metal Products (except 3441-Fabricated Structural Metal, see category 2), 35-Industrial and Commercial Machinery and Computer Equipment, 36-Electronic and Other Electrical Equipment, 37-Transportation Equipment (except 373-Ship and Boat Building and Repair, see category 2), 38-Measuring, Analyzing, and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks, 39-Miscellaneous Manufacturing Industries, 4221-Farm Product, 4222-Refrigerated Warehousing and Storage, 4225-General Warehousing and Storage.

In instances where the operator of an industrial facility is different than the owner, the owner may choose to apply as a co-permittee. Co-permittees share full responsibility for compliance with permit requirements.

How do I apply for coverage?

The Notice of Intent (NOI) is an application for coverage under a National Pollutant Discharge System (NPDES) General Permit for stormwater discharges associated with industrial activity. The NOI is an official document committing the permittee to compliance with the requirements of the permit. It should be completed accurately, completely, and legibly (please print in ink or type).

How will I Know when I have permit coverage?

Each applicant will be notified as to coverage under the permit within thirty (31) days of completing the application requirements. If the applicant does not receive notification from Ecology, coverage under the permit automatically commences on the thirty-first (31st) day following receipt by Ecology of a completed NOI.

When do I apply?

Facilities must apply for permit coverage at least 38 days prior to the commencement of industrial activities or within 30 days of notification by Ecology.

Where do I apply?

Please submit the NOI (application) to:

Mailing Address

Washington Department of Ecology
Water Quality Program - Industrial Stormwater
P.O. Box 47696
Olympia, Washington 98504-7696

Physical Address

Washington Department of Ecology
Water Quality Program
300 Desmond Drive
Lacey WA 98503

Applicants who discharge stormwater associated with industrial activity to a storm sewer operated by any of the following municipalities and departments shall also submit a copy of the NOI to the municipality and departments:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County, Spokane County, Washington Department of Transportation

Fees

Do not send in a fee payment with this application. You will be billed once a year (July) after the permit is issued.

INSTRUCTIONS FOR COMPLETING THE NOI

DATE FACILITY STARTS OPERATION

Give the date that you intend to begin operation. If you are already operating, enter the date that you began operation.

CHANGE OF INFORMATION

Only check this box if information included in a previously submitted NOI application has changed. An example of a change could be a new contact person for the operator, owner of the facility, or new billing address. **Include your assigned permit number in the right hand corner of the NOI.** Your assigned permit number is in the upper right hand corner of the first (title) page of your permit. Complete only those sections of the NOI that require changes. Please submit a transmittal letter which confirms/explains the change of information in the NOI.

When a company ceases operations at a facility for which it has coverage under the stormwater permit, it should submit a NOTICE OF TERMINATION or NOT form to the Department of Ecology. You may obtain a notice of termination from the Ecology web page or by contacting Ecology. <http://www.ecy.wa.gov/programs/wq/stormwater/>

SECTION I. PERMITTEE INFORMATION

If the owner and the operator of the facility are not the same person the operator of the facility is the permittee. The operator/representative for the facility is the person responsible for permit compliance and is the person who must sign the NOI application. The address for the operator/representative is where all correspondence will be sent. It is the responsibility of the permittee to make sure that correspondence gets to the proper people.

If the billing invoices should be sent to a different address than the operator/representative, complete the billing address information section. Also provide a billing contact person and phone number who can answer questions on invoices sent to the facility.

SECTION II. FACILITY INFORMATION

Enter the facility's name and provide the street address. If a street address is not available, a location description must be included. Also provide a facility contact person who can answer questions on the day-to-day operations at the facility if this person is different than the operator/representative for the facility.

Standard Industrial Classification (SIC)

List your primary SIC code first in box No. 1 of this section. List any additional SIC codes which describe other industrial activities taking place at the facility, in the remaining boxes by level of activity. The SIC codes can be found in the Standard Industrial Classification Manual, prepared by the federal Office of Management and Budget, which is available in public libraries. You can get this information from the Internet at: <http://www.osha.gov/cgi-bin/sic/sicser5> Tax and business records may also list a facility's SIC codes.

For purposes of permit coverage, SIC codes are based on the primary activity or purpose of each industrial facility, and not the primary business of the owner or other operating establishment that it serves. The activity in which a facility is primarily engaged determines the primary SIC code for that facility for purposes of coverage under this general stormwater permit. To determine the activity in which a facility is primarily engaged, the SIC Manual recommends using a value of receipts or revenues approach. For example, if a facility manufactures both metal and plastic products, the facility would total receipts for each operation. The operation that generated the most revenue for the facility is the operation in which the facility is primarily engaged. If revenues and receipts are not available for a particular facility, the number of employees or production rate may be compared. If a facility performs more than two types of operations, whichever operation generates the most (not necessarily the majority) revenue or employs the most personnel, is the operation in which the facility is primarily engaged. Once a primary activity is identified, refer to the SIC Manual to find the corresponding SIC four digit code.

Briefly describe the type or nature of your business.

Give the total size of your site with industrial activity in acres (divide square feet by 43,560 to get acres). You may exclude natural areas with no activity.

SECTION III. RECEIVING WATER INFORMATION

1. – Site Map:

You should have a site map with your stormwater pollution prevention plan. This map was required under the previous permit as well as the new permit. Make sure you mark on the map the point(s) where stormwater discharges from your property. If you have more than one discharge point, please label (name) each point so that you can refer to it later. The map should include the items listed under Part B. You may need to update the map to include all the items.

Discharge Information:

This information is necessary for Ecology to correctly identify your monitoring requirements. Even if you have included this information previously, you need to fill out the information here. The following information is designed to help you fill out this part of the form.

2. – Identifying your points of discharges:

From the map you created in Part B, please list here the name, number, or letter used on the map to identify the places where stormwater leaves your facility. These are your points of discharge.

3. – Identifying your sampling point:

Ecology needs to know where you intend to take a stormwater sample. If you have multiple points of discharge, Ecology does not expect you to sample every location. However you must identify the discharge that is likely to have the highest concentration of pollutants and sample there. Please list the point or points where you plan to sample. You may revise this later if necessary.

4. and 6 – Identifying latitude and longitude (lat/long)

Latitude and longitude is a means of identifying a particular point on Earth's surface. It is the same as placing an "X" on a map which indicates "I am here". This information will help Ecology determine if you discharge to impaired waters. If you have a global positioning device (GPS) you can use it to determine your latitude and longitude. You can also use online (internet) tools to locate latitude and longitude of your facility and with reasonable accuracy, the requested point of discharge information.

One such source is TopoZone: <http://www.topozone.com/>. If you go to this website, look for the title "Place Name Search". In the "place name" box, enter the closest city to your facility. Be sure and set the "state" box to Washington State (WA). Search should return a usable result. In the column marked "Place" will be the name of the city you entered. Click on that and you will see a large scale map that will hopefully include enough reference points for you to identify where your facility is located. Before you locate your facility go to the bottom of the page and mark (click on) the little circle that precedes D/M/S (degrees, minutes, seconds). This selects for latitude/longitude values in the same format as the form. Then on the map, position the cursor in the general vicinity of your facility and click. The map will refresh and mark the spot. Then click on the 1:25,000 scale at the top, left side of the map (right under the words "Click here to"). This will enlarge the map so that you can be more precise on where your facility is located and where stormwater discharge from the facility. Position the cursor (looks like a cross hair) as close to the point where stormwater leaves your property (point of discharge from your facility) as possible and click. The screen will refresh and mark the spot where you clicked. It will also provide the latitude/longitude of that spot at the top of the page: "Target is..." Write this information on question number 3.

If you discharge to a stormwater conveyance system (see explanation below) you also must identify the latitude and longitude of where that stormwater conveyance system discharges to a receiving water. Find the receiving water on the map and position the cursor as close to you can to where the stormwater conveyance system discharges into it and click. Again the screen will refresh and mark the spot where you clicked. Write this information on question number 5.

5. – Identify the name of the receiving water:

The receiving water is the waterbody that your stormwater goes into, such as a creek, river, lake, wetland or saltwater like Puget Sound. If you discharge to a stormwater conveyance system such as a roadside ditch or municipal stormwater system (e.g. City of Everett stormwater sewer system), the receiving water is where that conveyance system discharges.

7. – Identify the name of conveyance system (if applicable):

You need to tell Ecology if you are discharging to a receiving water directly or via a stormwater conveyance system. The easy example of a stormwater conveyance system is the traditional stormwater sewer system, usually owned by a municipality. In this system you typically collect or channel stormwater into a grated opening that goes to a pipe that connects to the underground stormwater sewer system.

Stormwater can also be conveyed above ground, usually in an unlined (sometimes un-named) ditch. These are considered stormwater conveyance systems as long the "ditch" was created specifically for the purpose of conveying stormwater; it is not a stream that has been straightened or channelized; and it is not replacing a "natural" waterbody. If the ditch is typically dry except during storm events, it likely qualifies as a stormwater conveyance system. Ditches that drain ground water and coincidentally convey stormwater do not qualify as a stormwater conveyance system.

If you discharge to a stormwater conveyance system owned by a municipality and you do not know where their system discharges, the municipality may be able to help you. Municipalities organize differently, but in the government pages of a phone directory, you should look for categories such as “public works”, “utilities – stormwater”, “drainage”, “water programs”, or “planning and development”. If they are not able to tell you, please contact Ecology.

SECTION IV. REQUEST FOR MIXING ZONE:

Ecology anticipates that most facilities will want a mixing zone. A mixing zone is the portion of a receiving waterbody where your stormwater discharge mixes with the receiving water. Washington state’s water quality rules for surface waters allow for conditional mixing. Without a mixing zone you must comply with water quality standards at the point of discharge with no allowance for dilution. If you discharge to a listed water, the mixing zone will not apply to the listed pollutants, but it can still apply to pollutants that are not listed in the impaired water. To be eligible for a mixing zone you must meet certain basic conditions that are identified on the form. You must certify that:

- your facility meets AKART (all know available and reasonable methods of prevention, control, and treatment);
- there is no loss of sensitive or important habitat; and
- there is no damaging interference with naturally occurring organisms.

AKART means that you have a complete stormwater pollution prevent plan (SWPPP) and that you have implemented and maintained the stormwater best management practices that apply to your industrial activity. Examples of loss of habitat or damaging interference include:

- destroying physical features of the receiving water (e.g. silting in gravel beds)
- causing native animals or plant (indigenous organisms) to leave the area (which is called translocation),
- preventing animals from moving freely around or through the area (also known as migration)
- causing damage to the ecosystem. The ecosystem in a few words is the ability for the environment to refresh itself. It would be important not to destroy all the lily pads as this provides a home for frogs.

If you are properly managing stormwater at your site you should meet these requirements to mark the box for a standard sized mixing zone.

If you are applying for an expanded mixing zone, you will need to supply additional information. You should contact Ecology about these requirements before completing the information and submitting an application for modification.

SECTION V. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Indicate whether or not a stormwater pollution prevention plan has been written for your facility. If a plan has not been prepared submit a letter to Ecology explaining why and when you expect to have the SWPPP written and implemented. A permit will not be issued for new facilities unless a SWPPP has been developed and ready for implementation on the first day of operation.

SECTION VI. INDUSTRIAL AREAS AND ACTIVITY INFORMATION

Requests information on types of industrial areas or activities that may be present at your facility. Please check all that apply. A permit will not be issued for new facilities unless a SWPPP has been developed and implemented on the first day of operation.

SECTION VII. MATERIAL HANDLING/MANAGEMENT PRACTICES

Indicate those materials which are handled and/or stored outdoors regardless of container types or containment system by placing a check in the appropriate items. Handling can include shipping/receiving, processing, maintenance, material transfer and waste treatment and disposal. If materials other than those listed are maintained on-site, please check “other,” and describe the type of material.

What are you already doing to reduce pollutants in your stormwater discharge. Please place a check next to the appropriate items for practices used at your facility. The acronym, BMPs, stands for Best Management Practices. Operational BMPs include: good housekeeping, preventive maintenance, employee training, and inspections and recordkeeping, material handling practices. List other practices used at your facility.

VIII. REGULATORY STATUS

This section includes information on any existing NPDES, State Waste Discharge, Air permits, or Hazardous Waste ID Numbers issued to the facility. In Washington, air emission permits are issued by local agencies or Ecology. If you currently hold an NPDES stormwater permit for construction of the facility you plan to operate, include the permit number. These can be referred to by various names such as a permit, an order, or a Notice of Construction.

SECTION IX. STATE ENVIRONMENTAL POLICY ACT (SEPA)

This section **only** applies to new or newly established facilities.

Please check and fill in the appropriate items:

The type of SEPA document prepared, i.e., a Determination of Nonsignificance (DNS) or a Final Environmental Impact Statement (EIS). The name of the agency which issued the DNS, the Final EIS, or which decided that the project was exempt from SEPA. Usually this agency is a representative of local government such as a city or county.

Also provide the date the agency issued the DNS or Final EIS and Whether you are aware of an administrative or judicial appeal of the adequacy of the SEPA document. If you indicate yes, please provide a letter explaining the issues and status of the appeal.

SECTION X. PUBLIC NOTICE

The applicant must complete the 30 day public notice requirement prior to receiving permit coverage. The notice must be published at least once each week for 2 consecutive weeks, in a single newspaper which has general circulation in the county in which the facilities operation is to take place with the following information:

- A statement that the applicant is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Industrial Activities;
- The name, address and location of the facility;
- The name and address of the applicant;
- If you have another wastewater discharge permit (e.g. for a process water discharge) include the sentence and permit number.
- Indicate whether or not you will be seeking a standard mixing zone.
- A description of the type of business and areas from which a stormwater discharge will occur, name(s) of receiving water(s); and
- The statement:

“Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice. Comments can be submitted to: Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.”

NOTE: Ecology is no longer requiring the submittal of the affidavit of publication. However, a typed copy of what will be submitted to the newspaper must be sent along with the NOI. The dates that the first and second public notices will run and the name of the newspaper in which the public notices will appear must also be provided.

Please note: that state law requires a 30 day public comment period prior to permit coverage, therefore permit coverage will not be granted sooner than 31 days after the date of the second public notice. The public notice may be published simultaneously with other notices such as State Environmental Policy Act notices, and Shoreline Permit notices provided the NOI is sent to Ecology on or before the date of the first public notice.

SECTION XI. CERTIFICATION OF AN ACCURATE APPLICATION BY THE PERMITTEE

This section should be read closely by the applicant. A responsible official or authorized representative of the operator shall print or type their name for clarity, then sign and date the document on the lines provided.

In the case of corporations, the NOI must be signed by a responsible corporate officer or a duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

For a partnership, the NOI must be signed by a general partner.

For a sole proprietorship, the NOI must be signed by the proprietor.

For a municipal, state or other public agency, the NOI must be signed by either a principal executive officer, ranking elected official, or other duly authorized employee.

In the case of co-permittees, both the operator of the facility and the co-permittee representative must sign the NOI.

QUESTIONS

Questions concerning proper completion of this form can be directed to the Department of Ecology by calling (360) 407-6858.